

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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SHERWOOD COFFIN,

Petitioner

v.

07-CV-1047

JAMES A. MANCE,

Respondant.

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THOMAS J. McAVOY  
Senior United States District Judge

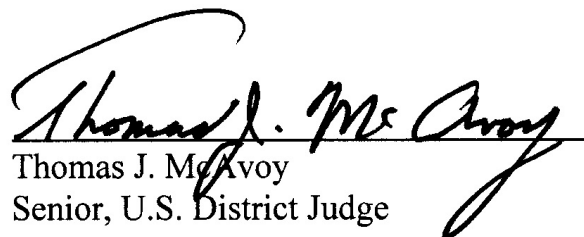
**ORDER**

Petitioner Sherwood Coffin filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 on October 1, 2007. On November 28, 2007, upon direction of this Court, Petitioner amended his petition. Petitioner alleges he was not sentenced in accordance with his plea agreement and that his counsel was ineffective at sentencing for failing to enforce his plea agreement. Petitioner's principal claim is that he was denied effective assistance of counsel at sentencing because his attorney failed to seek "specific performance of the plea agreement." This matter was referred to United States Magistrate Judge Victor E. Bianchini pursuant to 28 U.S.C. § 636(b)(1)(A) and (B), for a report and recommendation.

No objections to the Report-Recommendation filed and entered September 30, 2008 have been raised. After examining the record, this Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice. Accordingly, this Court adopts the Report-Recommendation for the reasons stated therein and DISMISSES the petition.

IT IS SO ORDERED.

Dated: November 3, 2008

  
Thomas J. McAvoy  
Senior, U.S. District Judge